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CERTIFICATE OF MAILING
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July 30, 2002
Date


Shelley P.M. Fussey

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
David Wells

Serial No.: 10/088,129

Filed: March 14, 2002

NUCLEAR TRANSFER WITH SELECTED
DONOR CELLS

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: 4070.000300

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record in the present case. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R §§ 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Assistant Commissioner is hereby authorized to deduct said fees from Williams, Morgan & Amerson, P.C., Deposit Account No. 50-0786/4070.000300.

Respectfully submitted,



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List of Patents and Publications for Applicant's

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Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B1	WO 99 46982	September 23, 1999	AU			

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
✓	C1	Barnes <i>et al.</i> , "Influence of Recipient Oocyte Cell Cycle Stage on DNA Synthesis, Nuclear Envelope Breakdown, Chromosome Constitution and Development in Nuclear Transplant Bovine Embryos," <i>Mol. Reprod. Dev.</i> , 36:33-41, 1993.
✓	C2	Boquest <i>et al.</i> , "Flow Cytometric Cell Cycle Analysis of Cultured Porcine Fetal Fibroblast Cells," <i>Biol. Reprod.</i> , 60:1013-1019, 1999.
✓	C3	Campbell <i>et al.</i> , "Cell Cycle Co-ordination in Embryo Cloning by Nuclear Transfer," <i>Reviews Reprod.</i> , 1:40-46, 1996a.
✓	C4	Campbell <i>et al.</i> , "Sheep Cloned by Nuclear Transfer From a Cultured Cell Line," <i>Nature</i> , 380:64-66, 1996b.
✓	C5	Campbell <i>et al.</i> , "Production of Live Lambs Following Nuclear Transfer of Cultured Embryonic Disc Cells," <i>Theriogenology</i> , 43:153-365; Abstract No. 181, 1995.
✓	C6	Campbell <i>et al.</i> , "Improved Development to Blastocyst of Ovine Nuclear Transfer Embryos Reconstructed During the Presumptive S-phase of Enucleated Activated Oocytes," <i>Biol. Reprod.</i> , 50:1385-1393, 1994.
✓	C7	Campbell <i>et al.</i> , "Nuclear-Cytoplasmic Interactions During the First Cell Cycle of Nuclear Transfer Reconstructed Bovine Embryos: Implications for Deoxyribonucleic Acid Replication and Development," <i>Biol. Reprod.</i> , 49:933-942, 1993.
✓	C8	Cibelli <i>et al.</i> , "Cloned Transgenic Calves Produced From Nonquiescent Fetal Fibroblasts," <i>Science</i> , 280:1256-1258, 1998.

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Exam. Init.	Ref. Des.	Citation
/	C9	Collas <i>et al.</i> , "Influence of Cell Cycle Stage of the Donor Nucleus on Development of Nuclear Transplant Rabbit Embryos," <i>Biol. Reprod.</i> , 46:492-500, 1992a.
/	C10	Collas <i>et al.</i> , "Effect of Donor Cell Cycle Stage on Chromatin and Spindle Morphology in Nuclear Transplant Rabbit Embryos," <i>Biol. Reprod.</i> , 46:501-511, 1992b.
/	C11	Czolowska <i>et al.</i> , "Behaviour of Thymocyte Nuclei in Non-Activated and Activated Mouse Oocytes," <i>J. Cell Sci.</i> , 69:19-34, 1984.
/	C12	Gadbois <i>et al.</i> , "Multiple Kinase Arrest Points in the G1 Phase of Nontransformed Mammalian Cells are Absent in Transformed Cells," <i>Proc. Natl. Acad. Sci., USA</i> , 89:8626-8630, 1992.
/	C13	Gardner <i>et al.</i> , "Enhanced Rates of Cleavage and Development for Sheep Zygotes Cultured to the Blastocyst Stage <i>In Vitro</i> in the Absence of Serum and Somatic Cells: Amino Acids, Vitamins and Culturing Embryos in Groups Stimulate Development," <i>Biol. Reprod.</i> 50:390-400, 1994.
/	C14	Otaegui <i>et al.</i> , "Transfer of Nuclei From 8-Cell Stage Mouse Embryos Following Use of Nocodazole to Control the Cell Cycle," <i>Mol. Reprod. Dev.</i> , 39:147-52, 1994.
/	C15	Pedersen, "Embryonic Stem Cells for Medicine," <i>Scientific American</i> , April 1999:44-49.
/	C16	Perry <i>et al.</i> , "Mammalian Transgenesis by Intracytoplasmic Sperm Injection," <i>Science</i> , 284:1180-1183, 1999.
/	C17	Pinto-Correia <i>et al.</i> , "Factors Involved in Nuclear Reprogramming During Early Development in the Rabbit", <i>Mol. Reprod. Dev.</i> , 40:292-304, 1995.
/	C18	Schnieke <i>et al.</i> , "Human Factor IX Transgenic Sheep Produced by Transfer of Nuclei From Transfected Fetal Fibroblasts," <i>Science</i> , 278:2130-2133, 1997.
/	C19	Sherwood <i>et al.</i> , "Defining Cellular Senescence in IMR-90 cells: A Flow Cytometric Analysis," <i>Proc. Natl. Acad. Sci., USA</i> , 85:9086-9090, 1988.
/	C20	Stice <i>et al.</i> "Pluripotent Bovine Embryonic Cell Lines Direct Embryonic Development Following Nuclear Transfer," <i>Biol. Reprod.</i> , 54:100-110, 1996.

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Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
/	C21	Susko-Parrish <i>et al.</i> , "Inhibition of Protein Kinases After an Induced Calcium Transient Causes Transition of Bovine Oocytes to Embryonic Cycles Without Meiotic Completion," <i>Develop. Biol.</i> , 166:729-739, 1994.
/	C22	Tada <i>et al.</i> , "Embryonic Germ Cells Induce Epigenetic Reprogramming of Somatic Nucleus in Hybrid Cells," <i>EMBO J.</i> , 16:6510-6520, 1997.
/	C23	Thomson <i>et al.</i> , "Embryonic Stem Cell Lines Derived From Human Blastocysts," <i>Science</i> , 282:1145-1147, 1998.
/	C24	Thompson <i>et al.</i> , "Effect of Oxygen Concentration on <i>In Vitro</i> Development of Preimplantation Dheep and Cattle Embryos," <i>J. Reprod. Fertility</i> , 89:573-578, 1990.
/	C25	Vignon <i>et al.</i> , "Development of Bovine Nuclear Transfer Embryos Reconstituted With Quiescent and Proliferative Skin Fibroblasts," <i>Theriogenology</i> , 51:161-438; Abstract No. 216, 1999.
/	C26	Vignon <i>et al.</i> , "Developmental Potential of Bovine Embryos Reconstructed From Enucleated Matured Oocytes Fused With Cultured Somatic Cells," <i>C R Academy of Science, Paris</i> 321: 735-745, 1998.
/	C27	Wakayama <i>et al.</i> , "Mice Cloned From Embryonic Stem Cells," <i>Proc. Natl. Acad. Sci. USA</i> , 96(26):14984-89, 1999a.
/	C28	Wakayama and Yanagimachi, "Cloning of Male Mice From Adult Tail-Tip Cells," <i>Nature Genetics</i> , 22:127-128, 1999b.
/	C29	Wall <i>et al.</i> , "Transgenic Dairy Cattle: Genetic Engineering on a Large Scale," <i>J. Dairy Science</i> , 80:2213-2224, 1997.
/	C30	Wells <i>et al.</i> , "Adult Somatic Cell Nuclear Transfer is Used to Preserve the Last Surviving Cow of the Enderby Island Cattle Breed," <i>Reprod. Fertility Develop.</i> , 10:369-378, 1999.
/	C31	Wells <i>et al.</i> , "Production of Cloned Bovine Fetuses Following Nuclear Transfer With Cells From a Fetal Fibroblast Cell Line," <i>Theriogenology</i> , 49:153-404; Abstract No. 330, 1998.

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Exam. Init.	Ref. Des.	Citation
/	C32	Wilmut <i>et al.</i> , "Viable Offspring Derived From Fetal and Adult Mammalian Cells," <i>Nature</i> , 385:810-813, 1997.
/	C33	Zakhartchenko <i>et al.</i> , "Effects of Serum Starvation and Re-Cloning on the Efficiency of Nuclear Transfer Using Bovine Fetal Fibroblasts," <i>J. Reprod. Fertility</i> , 115:325-331, 1999.
/	C34	International Search Report for PCT Application PCT/AU99/00165, mailed April 16, 1999.

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